



JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

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November 16, 2009

TO: Each Supervisor *JEF*

FROM: Jonathan E. Fielding, M.D., M.P.H.
Director and Health Officer

SUBJECT: **REFRIGERATED FOOD STORAGE TRAILERS**

On October 6, 2009, on a motion by Supervisor Michael D. Antonovich, the Board directed the Department of Public Health (DPH) to request a determination from the California Department of Public Health of the need to amend the California Retail Food Code to achieve statewide resolution of the Refrigerated Food Storage Trailer issue. The DPH Environmental Health Division had previously instituted a policy allowing the storage units on a temporary basis to safely meet emergency and holiday season demand. A copy of the policy is attached.

Pursuant to the Board's action, an issue submission form, which was reviewed and approved by County Counsel, was presented to the California Retail Food Safety Coalition to raise the issue and recommend provisions in the State law for the use of Refrigerated Food Storage Trailers. Copies of the letter and the issue submission form are also attached.

The DPH Environmental Health Division will monitor the State's progress in reviewing the issue.

I will provide the Board with another status report in 90 days. In the meantime, if you have any questions or need additional information, please let me know.

JEF:nb
PH:911:005

Attachments

c: Chief Executive Officer
Acting County Counsel
Executive Officer, Board of Supervisor

**COUNTY OF LOS ANGELES ♦ DEPARTMENT OF PUBLIC HEALTH
ENVIRONMENTAL HEALTH**

**Policy on the Temporary Use of Refrigerated Food Storage Trailers
October 1, 2009**

Background

Refrigerated Food Storage Trailers (RFSTs) are commonly used by restaurants and grocery stores during holidays and other periods of high sales volume. Examples include the storage of frozen turkeys at grocery stores or baked pies at restaurants during the Thanksgiving holiday. RFSTs are also used when refrigeration units inside a permitted facility are temporarily rendered inoperable due to mechanical failure, or during a power outage or other emergency. The use of RFSTs is often brought to the attention of the Department through complaints from the public alleging the trailers are noisy or in close proximity to nearby dwellings. Additionally, the use of RFSTs for supplemental food storage at the site of a restaurant or grocery store has been questioned because these units are not specifically authorized in the California Retail Food Code.

Policy

The use of Refrigerated Food Storage Trailers (RFSTs) for the temporary storage of incoming food products at a permitted restaurant or grocery store is appropriate following an emergency, or if needed to ensure safe storage of foods during periods of high sales volume associated with the holidays. These RFSTs are only for the storage of incoming food products that have been transported to a permitted food facility and that require continued refrigeration until transferred into the facility for processing and/or sale. Such use is not to exceed a period of 60 days unless associated with an extended emergency, or unless authorized by the Director of Environmental Health or designee.

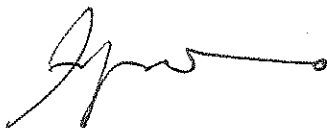
The RFST must be a commercially manufactured unit, with a rodent proof exterior, and capable of maintaining proper food temperature. The unit must be operated in a manner that ensures food is protected from contamination and maintained at proper temperature. Food stored inside the RFST must be stored on approved shelving or pallets.

Procedure

During routine inspections of the permitted food facilities using RFSTs as referenced above, the Department will evaluate the unit to ensure food is stored at proper temperature, the unit is maintained in a clean and orderly condition, food is protected from contamination, and the RFST is vermin proof. The evaluation will also ensure the operator has taken adequate precautions to protect food from contamination when being transported from the RFST to the permitted facility. Violations will be noted on the Food Official Inspection Report and appropriate point deductions shall be made to the inspection score, which determines the letter grade. An RFST that is not associated with an extended emergency and has been at a facility for a period exceeding 60 days, shall be brought to the attention of supervision.

This policy is effective immediately and is subject to review and may be periodically modified.

APPROVED:

A handwritten signature in black ink, appearing to be 'J. [unclear]', written over a horizontal line.



JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

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October 27, 2009

Susan Strong, REHS
California Department of Public Health
Food and Drug Branch
P.O. Box 997413 MS7602,
1500 Capitol Avenue
Sacramento, CA 95899-7413

Dear Ms. Strong:

The Los Angeles County Department of Public Health has recently established a policy allowing the temporary use of Refrigerated Food Storage Trailers (RFSTs) during the holidays. On October 6, 2009, the Los Angeles County Board of Supervisors directed me to request your review of the California Retail Food Code to determine whether amendment is needed to achieve Statewide resolution regarding RFST's. Please find the enclosed California Retail Food Safety Coalition Issue Submission Form, which presents the issue and recommended solution.

Thank you for the opportunity to present the issue. If you have questions or need additional information, please let me know.

Sincerely,

Jonathan E. Fielding, M.D., M.P.H.
Director and Health Officer

JEF:km

c: Doraine Meyers
Angelo J. Bellomo

<p style="text-align: center;">CALIFORNIA RETAIL FOOD SAFETY COALITION Issue Submission Form</p>

The California Retail Food Safety Coalition (CRFSC) brings together representatives from the Food Industry, government and academia to identify and address emerging food safety concerns in order to formulate recommendations for presentation to the State Legislature. The Coalition seeks to balance the interests of regulators and industry while providing an open forum for consideration of ideas from many sources.

Issue Title:

Temporary Refrigerated Food Storage Trailers

Describe Concern or Problem:

Refrigerated Food Storage Trailers (RFSTs) are commonly used by restaurants and grocery stores during holidays and other periods of high sales volume. Examples include the storage of frozen turkeys at grocery stores or baked pies at restaurants during the Thanksgiving holiday. RFSTs are also used when refrigeration units inside a permitted facility are temporarily rendered inoperable due to mechanical failure, or during a power outage or other emergency.

The use of RFSTs for the temporary storage of incoming food products at a permitted restaurant or grocery store is appropriate following an emergency, or if needed to ensure safe storage of foods during periods of high sales volume associated with the holidays. These RFSTs are only for the storage of incoming food products that have been transported to a permitted food facility and that require continued refrigeration until transferred into the facility for processing and/or sale.

Current law does not specifically authorize the use of RFSTs.

Public Health or Food Protection Significance:

Since the units where the food is temporarily stored are the same units in which they were transported to the facility, there should be little added risk or health significance in allowing temporary storage in the units at the permitted facility.

Recommended Solution:

Add provision in Cal-Code to allow temporary use of RFSTs for a period of 60 days unless associated with an extended emergency, or unless authorized by the local enforcement agency.

The RFST must be a commercially manufactured unit with a rodent proof exterior, and capable of maintaining proper food temperature. The unit must be operated in a manner that ensures food is protected from contamination and maintained at proper temperature. Food stored inside the RFST must be stored on approved shelving or pallets.

The unit must be maintained in a clean and orderly condition. Food must be protected from contamination and the RFST must be vermin proof. Operators must ensure that adequate precautions are taken to protect food from contamination when being transported from the RFST to the permitted facility.

Submitted By:

Jonathan E. Fielding, M.D., M.P.H.
Director and Health Officer
County of Los Angeles Department of Public Health

Angelo J. Bellomo, REHS
Director of Environmental Health
County of Los Angeles Department of Public Health

Submit to: Susan Strong, REHS
California Department of Public Health
Food and Drug Branch
(916) 650-6617 (desk)
Susan.strong@cdph.ca.gov
(916) 440-5167 (fax)